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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,010	03/01/2002	Pekka Kostiainen	042933/301626	1138
826	7590	06/29/2007	EXAMINER	
ALSTON & BIRD LLP			PHU, SANH D	
BANK OF AMERICA PLAZA			ART UNIT	
101 SOUTH TRYON STREET, SUITE 4000			PAPER NUMBER	
CHARLOTTE, NC 28280-4000			2618	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/085,010	Applicant(s) KOSTIAINEN ET AL.	
	Examiner Sanh D. Phu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-31 is/are allowed.
- 6) ☒ Claim(s) 32,33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 9/29/06.
Accordingly, claims 12-33 are currently pending.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 32 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Andrews (5,911,121), previously cited.

–Regarding to claim 32, see figures 6 and 8, and col. 6, lines 20-31, Andrews discloses a wireless communication terminal (10) (see figures 6 and 8) comprising:

a first user exchangeable cover part (40) (see figure 6); and

a second user exchangeable cover part (40) (figure 8) configured to be interchangeable with the first user exchangeable cover part,

wherein the first user exchangeable cover part comprises a first type of user interface (e.g., having five function keys (F1,..., F5) (see figure 6)), and wherein the second user exchangeable cover part comprises a second different type of user interface ((e.g., having six function keys (F1, ..., F6) (see figure 8) and/or a user scratchpad (see configuration with values "2" and "6" of TABLE 2, col. 5, line 13 to col. 6, line 31),

wherein the second different type of user interface, therefore, might have a function key F6 and/or a user scratchpad, not on the first user exchangeable cover part, since the first user exchangeable cover part (see figure 6) is configured not to include the function key F6 and the user scratchpad.

—Regarding to claim 33, as applied to claim 32, Andrews discloses that the first type of user interface comprises a key pad (containing keys (1, 2, 3, etc.), and wherein the second type of user interface comprises a scratchpad in addition to a key pad (containing keys (1, 2, 3, etc.), (the scratchpad inherently being a special type of touchpad and having a touch pad on the cover part for

user interface, and therefore, considered here equivalent with the limitation “touchpad”; and for clarifying said inherency, the examiner now additionally cites Yranainen et al (7,136,048) teaching a scratchpad being a special type of touchpad and having a touch pad (202) on a cover part for user interface (see figure 2, and col. 3, lines 10–19).

Allowable Subject Matter

4. Claims 12–31 are allowed.

Response to Arguments

5. Applicant’s arguments, filed on 9/29/06, have been fully considered.

Claims 12 and 31 are indicated allowable as set forth above. However, claims 32 and 33, after being amended, are deemed not overcome Andrews because of reasons set forth in this Office Action.

Conclusion

6. Reference Yranainen et al (7,136,048) is additionally cited because it is pertinent to the claimed device.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Fr from 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sanh D. Phu
Patent Examiner
Division 2618

SP

5/18/07
SANH D. PHU
PATENT EXAMINER

